

**UNITED STATES DISTRICT COURT  
WESTERN DISTRICT OF TENNESSEE  
EASTERN DIVISION**

**UNITED STATES OF AMERICA**

**vs**

**Case No.: 1:20-CR-10063-STA**

**JASON WAYNE AUTRY**

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**DEFENDANT’S UNOPPOSED MOTION TO CONTINUE SENTENCING HEARING**

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COMES now the Defendant, Jason Wayne Autry, by and through appointed counsel, Michael L. Weinman, and moves the Court for an Order continuing the Sentencing Hearing that is currently set for September 20, 2023, and in support of which would state as follows:

1. The Defendant is currently scheduled for sentencing on September 20, 2023.
2. On August 11, 2023, the government filed a Notice of Intent to Seek an Upward Departure and an Upward Variance from the Guideline Range (“Notice of Intent”) and Sentencing Memorandum [DE 92].
3. On August 14, 2023, the government filed Notices of Exhibits for Sentencing Hearing [DE 93 and 95] and a Notice of Filing of Official Transcript regarding the Motion hearing held on April 21, 2023 [DE 96]. On August 15, 2023, the government filed a Notice of Filing of Official Transcript regarding the Defendant’s Change of Plea Hearing held on November 22, 2022 and on August 18, 2023 the government filed another Notice of Exhibits for Sentencing Hearing [DE 101].
4. AUSA Boswell has indicated to counsel for the Defendant that she intends to call several witnesses at the Sentencing Hearing. She has also indicated that she believes that it will

take the government several hours to present its proof at the hearing.

5. Counsel for Defendant has retained a Federal Sentencing Mitigation Expert and Consultant on Mr. Autry's case and intends to present the Court with expert proof at the Sentencing Hearing. Given the short time available before the currently scheduled Sentencing Hearing, the expert will not have adequate time to review all the pertinent material filed by the government, interview the Defendant and prepare an expert report prior to the hearing.

6. The government has filed exhibits containing over 500 pages of documents, plus transcripts from prior court proceedings, that it intends to use at the hearing. Per the rules at the Shelby County Correctional Center where the Defendant is being detained, counsel can only meet with the Defendant in one-hour increments and must leave the facility by 4:00 p.m. on any visit. Accordingly, counsel will not have adequate time to review all the information the government has filed with the Defendant prior to the hearing or adequately prepare for the hearing as it is currently scheduled.

7. Based on the foregoing, the Defendant needs additional time to adequately prepare for the sentencing hearing. Accordingly, Defendant request that the court continue the Sentencing Hearing for at least 30 days in order to give him time to adequately prepare for the Sentencing Hearing.

8. Counsel for the Defendant has consulted with AUSA Boswell, who has indicated that the government has no objections to this continuance.

Wherefore, the Defendant requests the court to continue the Sentencing Hearing for at least 30 days.

Respectfully submitted,

By: s/ Michael L. Weinman  
Michael L. Weinman (#015074)  
*Attorney for Defendant Jason Autry*  
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**CERTIFICATE OF SERVICE**

I hereby certify that a true and exact copy of the foregoing (Motion) has been served upon:

AUSA William Joshua Morrow  
Email: [Josh.Morrow@usdoj.gov](mailto:Josh.Morrow@usdoj.gov)

AUSA Beth Boswell  
Email: [Beth.Boswell@usdoj.gov](mailto:Beth.Boswell@usdoj.gov)

by electronic means via the Court's electronic filing system this 6<sup>th</sup> day of September, 2023.

s/ Michael L. Weinman  
Michael L. Weinman